



February 15, 2007

**Freight company admits illegally
shipping hazardous waste**

Berkeley Transportation Company pleaded guilty today to illegally shipping hazardous waste from a location in East Providence to a trucking depot in Warwick.

United States Attorney Robert Clark Corrente announced the guilty plea, which the company's president, Bradford Dean, entered before Senior U.S. District Court Judge Ernest C. Torres in U.S. District Court, Providence. When the charges were filed in December, the company agreed to plead guilty.

At the plea hearing, Assistant U.S. Attorney Adi Goldstein said that the government could prove that, on two occasions in September 2004, Berkeley Transportation knowingly transported hazardous waste from 155 Amaral Street, East Providence, to a C-Line Transportation depot at 340 Jefferson Boulevard, Warwick. That depot is not legally permitted to receive or store hazardous waste.

Amaral Street Associates, which owned the East Providence site, was in the process of selling that property, and hired Berkeley Transportation to clean the site and remove waste that had been stored there. Dean, the president of Berkeley Transportation, was also a partner and officer of Amaral Street Associates.

During the late night hours of September 10 and 13, 2004, Berkeley Transportation employees trucked away from the East Providence site two trailers containing 55-gallon drums,

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some of which were labeled, “corrosive solids,” “do not use,” or “segregated waste.” The trailers themselves were old and unfit for highway use. One of them was missing a wheel and an axle.

The Rhode Island Department of Environmental Management began an investigation after DEM received a report that trailers containing drums and leaking liquids had been abandoned at 340 Jefferson Boulevard in Warwick. DEM officials sampled the contents of several of the drums and determined that they contained hazardous waste. Some of the material was identified as xylene, which is considered hazardous. Other materials in the drums were classified as hazardous because they had ignitability flash points of less than 140 degrees Fahrenheit.

Berkeley Transportation pleaded guilty to two counts of knowingly transporting and causing to be transported hazardous waste. Each charge carries a maximum fine of \$50,000 for a corporation. At the sentencing hearing, which is scheduled for May 19, the government will ask the Court to impose an \$80,000 fine, and will ask that the company be ordered to establish an environmental compliance program. As a condition of the plea agreement, Berkeley Transportation has agreed to pay \$35,000 to DEM’s Environmental Response Fund.

The Environmental Protection Agency, Criminal Investigation Division and the Rhode Island Department of Environmental Management, Office of Criminal Investigations, conducted a joint investigation that resulted in the charges. Assistant U.S. Attorney Goldstein is prosecuting the case.

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